

# EXHIBIT

## “BB”



New York City

Law Department

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## Legal Divisions - Special Federal Litigation

Established in September of 1998, Special Federal Litigation was created as a specialized division to defend the City and its officials in civil rights cases brought in federal court in which police, District Attorney, or correction officer misconduct is claimed. The cases on which division attorneys work grow out of contact between citizens and law enforcement officers in three distinct contexts: police operations; criminal prosecutions; and detention of arrestees in the City's detention facilities. The facts on which the claims rest are frequently intricate, calling into play the fundamental problems faced by law enforcement officers in the field and society's perception of how those problems ought to be addressed. The law governing the resolution of these cases is the Constitution of the United States and the vastly complex area of federal law specific to 42 U.S.C. Section 1983, the post-Civil War statute which authorizes suit for violation of constitutional rights. The Division defends against individual damages actions and class actions seeking institutional reform.

The Division faces a substantial volume of cases, in a complex, ever-changing area of law. The federal courts in which the Division attorneys exclusively practice maintain stringent standards and enforce strict deadlines. Division attorneys maintain active caseloads and are responsible for all aspects of litigation, from initial interviews of named defendants to investigation, depositions, paper discovery, negotiation of settlements, motions, court conferences, arguments, and trials by jury. Due to the high-profile nature of their work, many Division attorneys litigate actions that garner press coverage or are the subject of public debate.

### What New Attorneys Do

First-year attorneys in the Special Federal Litigation Division will handle, from inception through trial, cases brought pursuant to 42 U.S.C. § 1983 in which plaintiffs allege that their civil and constitutional rights have been violated. During the course of their first year, attorneys will be actively engaged in every step of federal civil rights litigation. First-year attorneys will draft and file answers, case abstracts and dispositive motions. First-year attorneys will conduct discovery incident to litigation, including the taking and defending of depositions.

First-year attorneys will engage in settlement negotiations and work with the New York City Comptroller's Office to evaluate their cases. Additionally, first-year attorneys will appear before federal district judges and magistrate judges in the Eastern and Southern Districts of New York on a regular basis, as they will participate in initial court conferences, status conferences, settlement conferences, and oral arguments regarding motions. When the opportunity arises, first-year attorneys may even take part in a federal jury trial. Throughout this process, first-year attorneys meet directly with clients from the New York City Police Department, the New York City Department of Correction, and various city district attorney's offices. Each first-year attorney will also work side-by-side with a supervisory attorney, who provides constant and constructive feedback on the attorney's work product throughout the year.

#### **What Summer Interns Do**

Division interns conduct legal research, draft motions and/or motion points, review case files and prepare settlement abstracts for purposes of obtaining authority to engage in settlement negotiations. Interns will draft deposition questions and likely attend the deposition with the staff attorney. Interns will have the opportunity to attend initial court conferences, status conferences and settlement conferences before a federal judge or magistrate judge in the Eastern or Southern District Courts. When the opportunity arises, interns may observe division attorneys try cases in federal court.

- ▶ [View the Law Department's Annual Reports for More Information about the Special Federal Litigation Division](#)